

# **EXHIBIT A**

*Declaration of Amir Salimi*

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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, NORTHERN DIVISION

<p>SECURITIES AND EXCHANGE COMMISSION,</p> <p>Plaintiff,</p> <p>v.</p> <p>THE ESTATE OF STEPHEN ROMNEY SWENSEN, and CREW CAPITAL GROUP, LLC, a Nevada limited liability company,</p> <p>Defendants,</p> <p>WENDY SWENSEN, an individual, SARIA C. RODRIGUEZ, an individual, WS FAMILY IP, LLC, a Utah limited liability company, WINGMAN, LLC, a Utah limited liability company, and SWENSEN CAPITAL, LLC, a Utah limited liability company,</p> <p>Relief Defendants.</p>	<p><b>DECLARATION OF AMIR SALIMI IN SUPPORT OF PLAINTIFF’S MOTION FOR PRELIMINARY INJUNCTION, ASSET FREEZE, AND OTHER PRELIMINARY RELIEF</b></p> <p>Case No.: 1:22-cv-00135-DBP</p> <p>Magistrate Judge: Dustin B. Pead</p>
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I, Amir Salimi, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am over the age of 21 and a resident of the State of Utah.
2. I make this declaration in support of the United States Securities and Exchange Commission’s (“Commission”) Motion for Preliminary Injunction, Asset Freeze, and Other Preliminary Relief.

3. I have personal knowledge of the matters set forth herein, except as otherwise noted, and, if called as a witness, I could and would competently testify under oath to the facts stated herein.

4. I am a certified public accountant employed within the Division of Enforcement in the Commission's Salt Lake Regional Office. I have worked within the Commission's Division of Enforcement since February 2021.

5. I passed the Uniform CPA Examination in Maryland in 2016. My CPA license (No. 01-42317) in Maryland is current and has been active since 2016.

6. Prior to my working at the Commission, from October 2014 to July 2016, I worked at KPMG US LLP, a "big four" public accounting firm, where I provided professional audit services. From August 2016 to February 2021, I worked at Ankura Consulting Group, LLC, where I focused on forensic accounting and financial investigations.

7. In the course of my duties with the Commission, I regularly conduct inquiries and assist in investigations into possible violations of the federal securities laws. My responsibilities include analyzing financial records, including: bank records, other books and records of companies, and other information and documents that have been obtained by Commission staff during the course of investigations. I make calculations and observations based upon my review and analysis of those records, and I prepare spreadsheets and charts summarizing those calculations and observations. The documents that I analyze in the course of my duties with the Commission are of the type reasonably relied upon by accountants forming opinions and inferences about, among other things, the finances of an entity and its sources and uses of money.

8. As part of my duties as an accountant with the Commission, I was assigned to the investigation entitled *In the Matter of Stephen Romney Swensen* (SL-02881), and I analyzed the bank and financial records of the Nevada LLC of Stephen Romney Swensen, Crew Capital Group, LLC (formerly "Capital Cooperative Group, LLC"), that were produced in response to a subpoena issued by the Commission staff to Wells Fargo Bank, N.A. ("Wells Fargo"). Bank records produced by Wells Fargo included the following:

- a. Wells Fargo Account No. XXXXXX2933 bank records in the name of Crew Capital Group, LLC (formerly “Capital Cooperative Group, LLC”). (hereinafter “Crew Capital WF 2933 Account”) for the period of April 5, 2010 through July 12, 2022.
- b. An August 4, 2022 declaration of a Wells Fargo custodian of records. A true and correct copy of that declaration is attached as **Exhibit 1**.
- c. Account opening documents, including the signature cards for the Crew Capital WF 2933 Account. I also reviewed a Legal Name Change Request changing the entity name of the account from “Capital Cooperative Group LLC” to “Crew Capital Group, LLC”. A true and correct copy of those documents are attached as **Exhibit 2**.

9. Based on my review of the account opening documents for the Crew Capital WF 2933 Account described in paragraph 8 above, I have determined that the account was established in the name of Capital Cooperative Group, LLC on April 5, 2010 as a Demand Deposit Account (“DDA”). The entity name on the account was changed to Crew Capital Group, LLC on May 18, 2015. Stephen Swensen was the sole signatory on the account from the time it was opened on April 5, 2010. These account opening documents bear a handwritten signature of the name “Stephen Swensen.” The date listed next to this handwritten signature is April 5, 2010. Mr. Swensen was listed as the only “Owner/Key Individual” within the account opening documents. These account opening documents also indicate that Stephen Swensen tendered two forms of identification when opening the Crew Capital WF 2933 Account: a “DLIC” from Utah with an expiration date of September 2014 and an “OTHR CC” from “Capital One MC CC” with an expiration date of September 2012.

#### **My Review of the Crew Capital WF 2933 Account**

10. Based on my review and analysis of financial records for the Crew Capital WF 2933 Account for the period April 5, 2010 through July 12, 2022, which include monthly bank statements, I have made the following observations and calculations:

11. From April 5, 2010 through July 12, 2022, \$42.8 million was deposited into the Crew Capital WF 2933 Account.

12. My review of the Crew Capital WF 2933 Account identified a pattern of large deposits being made by at least 50 individuals with some transactions referencing “IRA” or “Family Trust”. Large deposits of suspected investor deposits were also received directly from the Bank of Utah with some transactions referencing specific individuals and including notes such as “Annuity Purchase”. Based on an analysis of deposits in the Crew Capital WF 2933 Account, I have determined that the vast majority of the \$42.8 million of total deposits into the account fit this pattern. From April 5, 2010 through July 12, 2022, at least \$29.3 million was deposited into the Crew Capital WF 2933 Account by individuals believed to be investors. The Crew Capital WF 2933 Account also received additional transfers from the Bank of Utah of at least \$7.1 million, which is likely all also investor funds. The earliest deposit into the account from an individual believed to be an investor was on July 27, 2011 at the latest.

13. In my review of the account transactions, I did not identify any transactions consistent with investment activities, including investments in senior secured floating rate bank loans or options on the S&P 500. I did not identify any transactions that appear to be returns or proceeds from investments. For example, I did not observe transactions resembling incoming cash from annuity investment products or proceeds from options trading.

- a. As discussed further below, I observed a pattern of suspected Ponzi activity in the Crew Capital WF 2933 Account, which included the receipt of large deposits of cash from individuals believed to be investors, followed by immediate transfers of those funds to other individuals believed to be investors.

14. From April 5, 2010 through July 12, 2022, \$42.8 million was disbursed from the Crew Capital WF 2933 Account. My review and analysis of the account transactions did not identify any disbursements from this account that are consistent with making investments related to annuity investment products or options trading. Below is a high level summary of the use of funds from the Crew Capital WF 2933 Account from April 5, 2010 to July 12, 2022:

- a. **Stephen Swensen** received directly or benefited from disbursements of at least \$7.4 million. We identified an additional \$8.8M of disbursements that are believe to be personal expenses associated with Stephen Swensen, including: airplane purchases, automobile purchases, transfers to title companies, personal credit card payments, and other personal expenses.
- b. **Last Advisor** received directly or benefited from disbursements of at least \$1.0M.
- c. **Wendy Swensen** received directly or benefited from disbursements of at least \$356,000
- d. **Wingman, LLC** received directly or benefited from disbursements of at least \$120,000
- e. **WS FAMILY IP, LLC** received directly or benefited from disbursements of at least \$65,000
- f. **Saria Rodriguez** received directly or benefited from disbursements of at least \$40,136

15. In addition to those disbursements noted above, approximately \$17.4M was disbursed from the account to individuals believed to be investors and \$861,806 was disbursed to the Bank of Utah. The remaining disbursements primarily relate to transfers for which we are unable to determine the ultimate beneficiary due to limited supporting documentation.

16. The primary source of cash into the Crew Capital WF 2933 Account were large deposits by suspected investors as well as large deposits made by Bank of Utah on behalf of suspected investors. As noted above, some of these deposits included references to “IRA”, “Family Trust”, and “Annuity Purchase”. I did not identify any transactions consistent with investment activities, including investments in senior secured floating rate bank loans or options on the S&P 500. I did not identify any transactions that appear to be returns or proceeds from investments. For example, I did not observe transactions resembling incoming cash from annuity investment products or proceeds from options trading. As such, it appears that some of

the funds deposited into the Crew Capital WF 2933 Account, which appear to be investor funds, were used to make Ponzi-like “return” payments to other investors.

17. For example, my review of the Crew Capital WF 2933 Account bank records indicate a recurring monthly payment of \$500 was made to an individual believed to be an investor on April 30, 2018, at a time when the balance in the account appears to have been made up entirely of suspected investor funds. Based on a review of the transaction activity and account balance in the account prior to this distribution, I did not identify any income generated from investment activities in the account that could have been used to make this distribution, leading me to conclude that this return payment was made from investor funds.

18. Funds deposited in the Crew Capital WF 2933 Account were also used for apparent personal expenses such as a \$107,612 cash disbursement to “Aero-space Reports, Inc.” on September 1, 2016 referencing “Aircraft Purchase”. Based on a review of the transaction activity and account balance in the account prior to this distribution, I did not identify any income generated from investment activities in the account that could have been used to make this purchase. I also identified other disbursements that appear to be personal expenses directly paid out of the Crew Capital WF 2933 Account, such as payments of over \$4 million to title companies and aviation companies, presumably for the purchase of real estate and aircrafts.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 14<sup>th</sup> day of October, 2022 in Salt Lake City, Utah.

/s/ Amir Salimi

Amir Salimi

# **EXHIBIT 1**





## BUSINESS RECORDS DECLARATION

I, Vanessa Bradley, am over the age of eighteen and I declare that I am employed by Wells Fargo Bank, N.A. ("Wells Fargo") in the Summons and Subpoenas Department and am a duly authorized and qualified witness to certify the authenticity of the attached documents and/or information produced pursuant to the legal order. Wells Fargo reserves the right to designate another Custodian as it deems appropriate in the event an actual appearance is required concerning the records produced. I certify that the attached records:

- A) Were prepared by personnel of Wells Fargo in the ordinary course of business at or near the time of the acts, conditions or events described in the records; and
- B) It was the ordinary course of business for Wells Fargo employees or representatives with knowledge of the act, event, or condition recorded to make the record or transmit the information therein to be included in such record.
- C) The records attached are true and correct copies of the business records as maintained by Wells Fargo.

### The records produced are described as follows:

Case number: 26877862

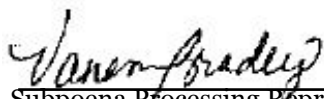
Document Type	Account #	Paper Count	Total Copies
Signature Cards	XXXXXXX2933	6	6
Signature Cards	XXXXXXX4120	6	6
Letter of Credit	XXXXXXXXXXX and XXXXXXX4120	0	0
Unable to locate Letter of Credit accounts [REDACTED] 2933 and [REDACTED] 4120 name CREW CAPITAL GROUP LLC Scope 1/1/10 to 7/12/2022.			
Wire Automated	XXXXXXX2933	165	165
Deposits with offsets	XXXXXXX2933	158	158
Statements	XXXXXXX4120	118	118
Checks/Debits	XXXXXXX2933	435	435
Free Form	XXXXXXX2933	2	2
Statements	XXXXXXX2933	414	414
Statements	XXXXXXX2933	268	268
Free Form	XXXXXXX2933	60	60
Total Copies Delivered:			1,632

### Additional comments:

The bank's standard record retention period is seven years.

Case No: 26877862; Agency Case No: SL02881

I declare under penalty of perjury under the law(s) of the state of Utah that the foregoing is true and correct according to my knowledge and belief. Executed on this 4th day of August, 2022, in the City of Tempe, State of ARIZONA.



Subpoena Processing Representative

Image copies of requested transactions may be missing for the following reasons: Items not imaged, corrupted, blank, damaged, destroyed or not available, item(s) piggy-backed, electronic transaction(s). If the legal order requests certain types of loan information and other non-depository information, it was forwarded to other departments and they will respond to you directly.

## **EXHIBIT 2**

# Business Account Application

WELLS  
FARGO

Bank Name:	Store Name:		
Wells Fargo Bank , N.A.	Maryland Parkway		
Banker Name:	Officer/Portfolio Number:	Date:	
PATEL, AMITA	N0413	04/05/2010	
Banker Phone:	Store Number:	Banker AU:	Banker MAC:
702/862-8952	00832	06463	S4719-011

To help the government fight the funding of terrorism and money laundering activities, U.S. Federal law requires financial institutions to obtain, verify, and record information that identifies each person (individuals and businesses) who opens an account. What this means for you: When you open an account, we will ask for your name, address, date of birth and other information that will allow us to identify you. We may also ask to see your driver's license or other identifying documents.

## New Account Information

☒ New Deposit Account(s) Only ☐ New Deposit Account(s) and Business Credit Card

Account 1 Product Name				
Expanded Business Services Package				
COID:	Product:	Account Number:	Opening Deposit:	Type of Funds:
825	DDA	2933	\$100.00	CKS

Account 2 Product Name				
Business Market Rate Savings				
COID:	Product:	Account Number:	Opening Deposit:	Type of Funds:
825	DDA	4510	\$100.00	CKS

## Authorized Signers

Business Name:	Other Related Customer Name:
CAPITAL COOPERATIVE GROUP LLC	
Authorized Signer Name(s):	
STEVE R SWENSEN	
STEPHEN	



**Checking/Savings Statement Mailing Information**

Name(s) and Information Listed on Statement: CAPITAL COOPERATIVE GROUP LLC		Statement Mailing Address: 101 CONVENTION CENTER DR STE 700	
		Address Line 2:	
		City: LAS VEGAS	State: NV
		ZIP/Postal Code: 89109-2007	Country: US

**Business Information**

Business Name: CAPITAL COOPERATIVE GROUP LLC			Street Address: 1785 E 1450 <del>NORTH</del> <sup>SOUTH</sup> SUITE 380	
Business Type: Limited Liability Company			Address Line 2:	
Business Sub-Type: Non-Profit: No			Address Line 3:	
Date Originally Established: 03/01/2010	Current Ownership Since:	Number of Employees: 1	City: CLEARFIELD	State: UT
Annual Gross Sales: \$300,000.00	Year Sales Reported: 03/31/2010	Fiscal Year End:	ZIP/Postal Code: 84015	Country: US
Primary Financial Institution:		Number of Locations: 1	Business Phone: (801) 860-6900	Fax:
Sales Market: LOCAL			Cellular Phone: (801) 860-6900	Pager:
Primary State 1:	Primary State 2:	Primary State 3:	e-Mail Address: [REDACTED].com	
Primary Country 1:	Primary Country 2:	Primary Country 3:	Website:	
Industry: Other Services (except Public Administration)				
Description of Business: consulting				
Major Suppliers/Customers:				

**Bank Use Only**

Name/Entity Verification: Articles of Organization		Address Verification: NONE		BACC Reference Number: 610BAC2109095	
Document Filing Number/Description: 20100171870-67		Filing Country: US	Filing State: NV	Filing Date: 03/01/2010	Expiration Date:
Country of Registration: US	State of Registration: NV	International Transactions:			Check Reporting: NORECORD
Internet Gambling Business: No					



## Owner/Key Individual 1 Information

Customer Name: <del>STEVE R SWENSEN</del> <b>STEPHEN</b>	Primary ID Type: DLIC	Primary ID Description: 5231
Position/Title: ADVISOR	Primary ID St/Ctry/Prov: UT	Primary ID Issue Date: 09/09/2009
Check Reporting: None	Secondary ID Type: OTHR CC	Secondary ID Description: CAPITAL ONE MC CC
	Secondary ID State/Country:	Secondary ID Issue Date: 09/30/2012

## Certificate of Authority

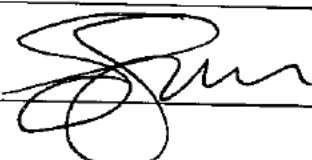
Each person who signs the "Certified/Agreed To" section of this Application certifies that:

- A. The Customer's use of any Bank deposit account, product or service will confirm the Customer's receipt of, and agreement to be bound by, the Bank's applicable fee and information schedule and account agreement that includes the Arbitration Agreement under which any dispute between the Customer and the Bank relating to the Customer's use of any Bank deposit account, product or service will be decided in an arbitration proceeding before a neutral arbitrator as described in the Arbitration Agreement and not by a jury or court trial.**
- B. Each person who signs the "Certified/Agreed To" section of this Application or whose name, any applicable title and specimen signature appear in the "Authorized Signers - Signature Capture" section of this Application is authorized on such terms as the Bank may require to:
- (1) Enter into, modify, terminate and otherwise in any manner act with respect to accounts at the Bank and agreements with the Bank or its affiliates for accounts and/or services offered by the Bank or its affiliates (other than letters of credit or loan agreements);
  - (2) Authorize (by signing or otherwise) the payment of Items from the Customer's account(s) listed on this Business Account Application (including without limitation any Item payable to (a) the individual order of the person who authorized the Item or (b) the Bank or any other person for the benefit of the person who authorized the Item) and the endorsement of Deposited Items for deposit, cashing or collection (see the Bank's applicable account agreement for the definitions of "Item" and "Deposited Item");
  - (3) Give instructions to the Bank in writing (whether the instructions include the manual signature or a signature that purports to be the facsimile or other mechanical signature including a stamp of an Authorized Signer as the Customer's authorized signature without regard to when or by whom or by what means or in what ink color the signature may have been made or affixed), orally, by telephone or by any electronic means in regard to any Item and the transaction of any business relating to the Customer's account(s), agreements or services, and the Customer shall indemnify and hold the Bank harmless for acting in accordance with such instructions; and
  - (4) Delegate the person's authority to another person(s) or revoke such delegation, in a separate signed writing delivered to the Bank.
- C. If a code must be communicated to the Bank in order to authorize an Item, and the code is communicated, the Item will be binding on the Customer regardless of who communicated the code.
- D. Each transaction described in this Certificate of Authority conducted by or on behalf of the Customer prior to delivery of this Certificate is in all respects ratified.
- E. If the Customer is a tribal government or tribal government agency, the Customer waives sovereign immunity from suit with respect to the Customer's use of any Bank account, product or service referred to in this Certificate.
- F. The information provided in this Application is correct and complete, each person who signs the "Certified/Agreed To" section of this Application and each person whose name appears in the "Authorized Signers-Signature Capture" section of this Application holds any position indicated, and the signature appearing opposite the person's name is authentic.
- G. The Customer has approved this Certificate of Authority or granted each person who signs the "Certified/Agreed To" section of this Application the authority to do so on the Customer's behalf by:
- (1) resolution, agreement or other legally sufficient action of the governing body of the Customer, if the Customer is not a trust or a sole proprietor;
  - (2) the signature of each of the Customer's trustee(s), if the Customer is a trust; or
  - (3) the signature of the Customer, if the Customer is a sole proprietor.

## Certified/Agreed To

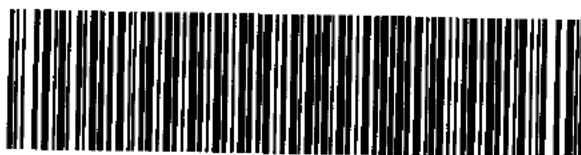
Owner/Key Individual 1 Name <del>STEVE R SWENSEN</del> <b>STEPHEN</b>	Position/Title: ADVISOR
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Owner/Key Individual 1 Signature



- ☒ Submit manually  
☐ Signature not required

Date:  
04/05/2010



**Request for Taxpayer Identification Number and Certification**

(Substitute Form W-9)

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. **UNLESS I HAVE CHECKED ONE OF THE BOXES BELOW**, I am not subject to backup withholding either because I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or the IRS has notified me that I am no longer subject to backup withholding (does not apply to real estate transactions, mortgage interest paid, the acquisition or abandonment of secured property, contributions to an Individual Retirement Arrangement (IRA), and payment other than interest and dividends).
3. I am a U.S. person (including a U.S. resident alien). ☐ I am subject to backup withholding ☐ I am exempt from backup withholding

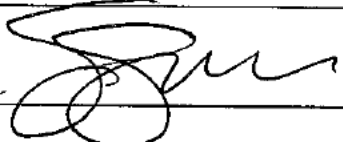
**Note: The Internal Revenue Service does not require your consent to any provision of this document other than the certifications required to avoid backup withholding.**

Business Name:

CAPITAL COOPERATIVE GROUP LLC

Taxpayer Identification Number (TIN):

TIN Certification Signature:



- ☒ Submit manually  
☐ Signature not required

Date:

04/05/2010

**Authorized Signers - Signature Capture**

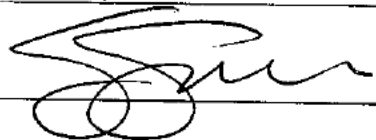
Authorized Signer 1 Name

STEVE R SWENSEN  
*STEPHEN*

Position/Title:

ADVISOR

Authorized Signer 1 Signature



- ☒ Submit manually  
☐ Signature not required

Date:

04/05/2010







**Request for Taxpayer Identification Number and Certification**

(Substitute Form W-9)

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. UNLESS I HAVE CHECKED ONE OF THE BOXES BELOW, I am not subject to backup withholding either because I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or the IRS has notified me that I am no longer subject to backup withholding (does not apply to real estate transactions, mortgage interest paid, the acquisition or abandonment of secured property, contributions to an Individual Retirement Arrangement (IRA), and payment other than interest and dividends).
3. I am a U.S. citizen or other U.S. person. ☐ I am subject to backup withholding ☐ I am exempt from backup withholding
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct. (Does not apply to U.S. based accounts)

Entity Name:

CREW CAPITAL GROUP, LLC

Taxpayer Identification Number (TIN):

TIN Certification Signature:

STEPHEN R SWENSEN

☐ Submit manually☐ Signature not required

Date:

05/18/2015

**Certification Signature**

I certify that the name designated above is the new legal name for the entity I represent and is recognized as such under applicable law.

Owner/Key Individual/Trustee Name

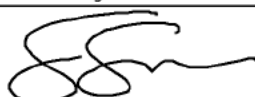
STEPHEN R SWENSEN

Position/Title:

ADVISOR

Owner/Key Individual/Trustee Signature

STEPHEN R SWENSEN

☐ Submit manually☐ Signature not required

Date:

05/18/2015



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